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4 JONNIE HOMYK, et al.,
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6 Plaintiffs,
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8 v.
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10 CHEMOCENTRYX, INC., et al.,
11 Defendants.

Case No. 21-cv-03343-JST (LJC)

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**ORDER FOR SUPPLEMENTAL
BRIEFING AND SETTING HEARING
RE: JOINT DISCOVERY LETTER
BRIEF**

Re: ECF No. 156

Pending before the Court is the parties' Joint Discovery Letter Brief (ECF No. 156) wherein Lead Plaintiff Indiana Public Retirement System requests an order to strike Defendants' June 18 and 28, 2024 Supplemental Rule 26(a) disclosures. Having reviewed the Joint Discovery Letter Brief, the Court determines that supplemental briefing is necessary. No later than July 19, 2024, Lead Plaintiff shall file a letter brief of no more than five pages that addresses the following:

1. For all witnesses disclosed by Defendants in their supplemental Rule 26(a) disclosures that Lead Plaintiff previously subpoenaed, when were these subpoenas served? What stage of fact discovery was the litigation in?
2. What is Lead Plaintiff's response to Defendants' claim that: (1) Lead Plaintiff knew about Dalia Reyes since it requested documents from her custodial file in August 2023; (2) Lead Plaintiff knew about the five analyst firms because four of them are named in the First Amended Complaint and Lead Plaintiff subpoenaed each of them; and (3) Lead Plaintiff knew about Dr. Stone because he was subpoenaed by Lead Plaintiff, and he produced more than 100 documents in response to that subpoena?

Along with its letter brief, Lead Plaintiff shall also file copies of all subpoenas it previously served on any of the eleven newly disclosed witnesses. Defendants shall file a letter brief in response of

1 no more than five pages no later than July 23, 2024. In addition to responding to any of Lead
2 Plaintiff's arguments, if they so wish, Defendants shall further explain why they failed to disclose
3 the eleven witnesses at issue until less than two months before the fact discovery cutoff, especially
4 given their claims that the witnesses and their relevance to the case were "made known" to Lead
5 Plaintiff through the parties exchanging hundreds if not thousands of documents from the
6 witnesses during fact discovery.

7 The Court hereby sets a hearing on this matter for July 30, 2024, at 11 a.m., via Zoom
8 videoconference.

9 **IT IS SO ORDERED.**

10 Dated: July 16, 2024

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13 LISA J. CISNEROS
14 United States Magistrate Judge

United States District Court
Northern District of California

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